

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	No.
)	
v.)	(Judge)
)	
)	
\$35,350 in U.S. Currency,)	
)	
Defendant.)	(Electronically filed)

COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff, the United States of America, by and through its attorneys, Bruce D. Brandler, Acting United States Attorney for the Middle District of Pennsylvania, and Sean A. Camoni, Assistant U.S. Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. Plaintiff, United States of America, alleges the following upon information and belief for its claim against the defendant property for violations of 18 U.S.C. § 1956, and 31 U.S.C. § 5331, pursuant to 18 U.S.C. § 981(a)(1)(A) &(C), and 31 U.S.C. § 5317(2).

THE DEFENDANT *IN REM*

2. The defendant property consists of the following property:

- a. \$35,350 in U.S. Currency that was seized from C&D Motorsports and Christopher Lopez on August 25, 2020, at 1208 Manheim Pike, Lancaster, PA 17601.

The defendant property is presently in the custody of the United States Department of the Treasury.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court also has jurisdiction over this particular action under 18 U.S.C. § 981(a)(1)(A) & (C), and 31 U.S.C. § 5317(2).

4. This Court has *in rem* jurisdiction over the defendant property:

- a. pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district;
- b. pursuant to 28 U.S.C. § 1355(b)(1)(B), incorporating 28 U.S.C. § 1395, because the defendant property is found in this district; the defendant property which was seized

outside this district has been brought into this district.

5. Venue is proper in this district:

a. pursuant to 28 U.S.C. §1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district;

b. pursuant to 28 U.S.C. § 1395, because the defendant is found in this district; the property is located in this district; the defendant property which was seized outside this district has been brought into this district;

6. Upon filing of this Complaint, the plaintiff requests that the Clerk of Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

7. As provided by Supplemental Rule G(4), the United States will serve notice of this action on “any person who reasonably appears to be a potential claimant on the facts known to the government before the end of the time for filing a claim under Rule G(5)(a)(ii)(B).”

BASIS FOR FORFEITURE

8. The defendant property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) & (C), and 31 U.S.C. § 5317(2), because it constitutes:

- a. Property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. § 1956 or any property traceable to such property;
- b. Property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1956;
- c. Property involved in a violation of 31 U.S.C. § 5331 (through section 5324(b)); and
- d. Property traceable to a violation of 31 U.S.C. § 5331 (through section 5324(b)).

FACTS

9. All of the facts alleged in this Complaint are based upon information and belief, the source of which is Jonathan D. Maiolo, Special Agent with the Internal Revenue Service – Criminal Investigation (IRS-CI), resulting from an investigation into the Money

Laundrying activities and violations of the Bank Secrecy Act by employees of C&D Motorsports and Christopher Lopez.

10. During all times material to this complaint, C&D Motorsports LLC was a used car dealership located in Lancaster, Pennsylvania, and Christopher Lopez was the business owner.

11. As of January 2020, C&D Motorsports listed 43 vehicles for sale on their website ranging in price from \$4,995 to \$21,995. 31 of the 43 vehicles listed for sale had a sales price in excess of \$10,000.

12. From February 2011 to January 2020, C&D Motorsports made business cash deposits totaling \$1,516,426; however, as of August 2020, C&D Motorsports never filed Forms 8300 for cash payments received in excess of \$10,000.

13. C&D Motorsports and Lopez are suspected of knowingly selling used vehicles to known drug dealers, knowingly receiving cash in excess of the filing threshold and failing to file the required Forms 8300, and knowingly titling vehicles in nominee names.

14. During the course of an IRS-CI investigation, an undercover operation was conducted, during which multiple audio and video recorded meetings took place at C&D Motorsports. During these

undercover meetings, IRS-CI undercover agents discussed purchasing vehicles with cash purported to be the proceeds of the distribution of narcotics with Lopez and other employees at C&D Motorsports.

15. Subsequent to the undercover meetings, a vehicle was purchased for \$33,120 in cash that was purported proceeds of the distribution of narcotics. An employee of C&D Motorsports processed the sale of the vehicle and titled the vehicle in a nominee name.

16. Following the execution of a search warrant on August 25, 2020, \$35,350 in U.S. Currency was discovered and seized from a safe in the service building at C&D Motorsports, of which \$33,120 represents government funds utilized to make a controlled purchase.

CLAIM FOR RELIEF

WHEREFORE the United States prays that the Clerk of Court issue a warrant of arrest for the defendant property, that the defendant property be forfeited to the United States, that the plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Respectfully submitted,

BRUCE D. BRANDLER
ACTING UNITED STATES ATTORNEY

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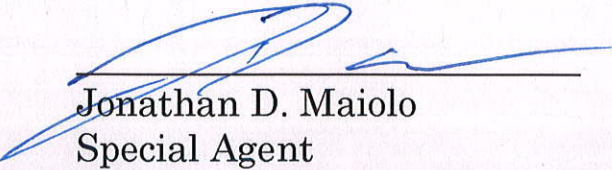
VERIFICATION

I, Special Agent Jonathan D. Maiolo, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Internal Revenue Service – Criminal Investigation (IRS-CI), that I have read the foregoing verified Complaint *in Rem* and know the contents thereof, and that the matters contained in the verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the IRS-CI.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: 1/15/2021


Jonathan D. Maiolo
Special Agent
IRS-CI